

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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	:
DENISE CRUMWELL,	:
	:
Plaintiff,	:
	:
-against-	:
	:
LOVE WELLNESS,	:
	:
Defendant.	:
	:
-----X	

21-CV-9378 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

Plaintiff filed this action on November 12, 2021. (Doc. 1). Plaintiff filed an affidavit of service indicating that Defendant was served on December 2, 2021. (Doc. 6.) The deadline for Defendant to respond to Plaintiff’s complaint was December 23, 2021. (*See id.*) Defendant never responded to the complaint. Accordingly, on January 3, 2022, I ordered Plaintiff to seek default judgment “by no later than January 21, 2022,” and I warned that “[i]f Plaintiff fails to do so or otherwise demonstrates that she does not intend to prosecute, I will dismiss this case for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).” (Doc. 7.)


On January 19, 2022, Plaintiff filed a letter requesting “an additional 45 days” for Defendant to appear in this action. (Doc. 8.) In response, on January 20, 2022, I entered an order stating that “[i]f Defendant does not appear and respond to the complaint by February 11, 2022, then no later than February 18, 2022, Plaintiff must seek default judgment.” (Doc. 9.) My order further stated that Plaintiff’s “[f]ailure to do so will result in dismissal of this case pursuant to Federal Rule of Civil Procedure 41(b).”

That deadline has passed, and Plaintiff has not sought default judgment. Accordingly, it is hereby

ORDERED that this action is dismissed pursuant to Rule 41(b).

SO ORDERED.

Dated: February 22, 2022
New York, New York



VERNON S. BRODERICK
United States District Judge